

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

AIA ENGINEERING LIMITED,

Plaintiff/Counterclaim Defendant,

v.

MAGOTTEAUX INTERNATIONAL S/A
and MAGATTEAUX, INC.,

Defendants/Counterclaim Plaintiffs

MAGOTTEAUX INTERNATIONAL S/A
and MAGOTTEAUX, INC.

Third Party Plaintiffs,

v.

VEGA INDUSTRIES, LTD. INC.,

Third Party Defendant.

NO. 3:09-00255
JUDGE HAYNES

VERDICT

I. INFRINGEMENT BY AIA/VEGA

A. Has Magatteaux established by a preponderance of the evidence that AIA/Vega infringed any of the following claims of Magotteaux's '998 patent?

Claim 1 - Yes	<input checked="" type="checkbox"/>	No	_____
Claim 12 - Yes	<input checked="" type="checkbox"/>	No	_____
Claim 13 - Yes	<input checked="" type="checkbox"/>	No	_____
Claim 16 - Yes	<input checked="" type="checkbox"/>	No	_____
Claim 17 - Yes	<input checked="" type="checkbox"/>	No	_____
Claim 18 - Yes	<input checked="" type="checkbox"/>	No	_____
Claim 20 - Yes	<input checked="" type="checkbox"/>	No	_____
Claim 21 - Yes	<input checked="" type="checkbox"/>	No	_____

II. INVALIDITY DEFENSES

- A. Has AIA/Vega established by clear and convincing evidence that any of the following claims of Magotteaux's '998 patent is invalid as obvious?

Claim 1 - Yes _____ No ✓
Claim 12 - Yes _____ No ✓

- B. Has AIA/Vega established by clear and convincing evidence that any of the following claims of Magotteaux's '998 patent is invalid as a result of a prior public use?

Claim 1 - Yes _____ No ✓
Claim 12 - Yes _____ No ✓

III. DAMAGES

If you have found infringement by AIA/Vega of any one or more claims of the '998 patent, and if you have found that AIA/Vega failed to prove that each of such infringed claims is invalid, then state the amount of damages, if any, you find that AIA/Vega should pay to Magotteaux for AIA/Vega's infringement:

\$ 1,668,028⁰⁰

IV. WILLFULNESS

If you have found infringement of any of the claims of Magotteaux's patent, has Magotteaux established by clear and convincing evidence that such infringement was willful?

Yes ✓ No _____

If you find that any infringement was willful, please give a summary of your reasons for your findings.

GIVEN THE EMAILS BETWEEN CHRIS CARR (TREIBACHER) AND
DR. BHIDE REGARDING THE PURCHASE OF GRAINS AND
THEIR CLASSIFICATIONS. ADDITIONALLY, DR. BHIDE'S EMAIL
SUGGESTED THAT HE WANTED TO "COMPLETELY SUPPRESS MY
IDENTITY"

WE BELIEVE AIA WAS FULLY AWARE OF BOTH THE ^{XWINN} TECHNOLOGY
AND THE PATENTS IN PLACE BUT CONTINUED TO PURSUE
AND ENGAGE IN PRODUCING/SELLING THE SINTERCAST PRODUCTS.

If you find that any infringement was not willful, please give a summary of your reasons
for your findings.

[REDACTED]

Xcoperson

7/2/12
Date